

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ALBERTO PATINO, *et al.*

Plaintiffs,

v.

CITY OF PASADENA

Defendant.

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Civil Action No. 4:14-cv-03241-LHR

**AFFIDAVIT OF ERNEST HERRERA IN SUPPORT OF PLAINTIFFS'**  
**MEMORANDUM OF LAW IN RESPONSE TO DEFENDANT'S**  
**MOTION FOR SUMMARY JUDGMENT**

1. My name is Ernest I. Herrera. I am over the age of eighteen and fully competent to make this declaration. I am employed as a Staff Attorney of the Mexican American Legal Defense and Educational Fund in San Antonio, Texas, an attorney in this case, and make this declaration in support of Plaintiffs' Memorandum of Law in Response to Defendant's Motion for Summary Judgment. The facts stated in this declaration are based on my personal knowledge.
2. Attached hereto as Exhibit 1 is a true and correct copy of the 2008 Harris County General Election Sheriff Canvass, obtained from the Harris County Election Division's website.
3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of the deposition of Mayor Johnny Isbell, taken on May 27, 2016.
4. Attached hereto as Exhibit 3 is a true and correct copy of Exhibit 12 of the deposition of Mayor Johnny Isbell, taken on May 27, 2016.

5. Attached hereto as Exhibit 4 is a true and correct copy of Exhibit 25 of the deposition of Mayor Johnny Isbell, taken on May 27, 2016.
6. Attached hereto as Exhibit 5 is a true and correct copy of Exhibit 32 of the deposition of Mayor Johnny Isbell, taken on May 27, 2016.
7. Attached hereto as Exhibit 6 is a true and correct copy of Exhibit 33 of the deposition of Mayor Johnny Isbell, taken on May 27, 2016.
8. Attached hereto as Exhibit 7 is a true and correct copy of Exhibit 41 of the deposition of Richard Scott, taken on July 8, 2016.
9. Attached hereto as Exhibit 8 is a true and correct copy of Exhibit 42 of the deposition of Richard Scott, taken on July 8, 2016.
10. Attached hereto as Exhibit 9 is a true and correct copy of Exhibit 43 of the deposition of Richard Scott, taken on July 8, 2016.
11. Attached hereto as Exhibit 10 is a true and correct copy of Exhibit 51 of the deposition of Richard Scott, taken on July 8, 2016.
12. Attached hereto as Exhibit 11 is a true and correct copy of Exhibit 52 of the deposition of Richard Scott, taken on July 8, 2016.
13. Attached hereto as Exhibit 12 is a true and correct copy of Exhibit 12 of the deposition of Richard Scott, taken on July 8, 2016.
14. Attached hereto as Exhibit 13 is a true and correct copy of Exhibit 121 of the deposition of Pat Van Houte, taken on June 14, 2016.
15. Attached hereto as Exhibit 14 is a true and correct copy of Pasadena Prop. 1 Election Results, November 5, 2013.

16. Attached hereto as Exhibit 15 is a true and correct copy of Citizens to Keep Pasadena Strong production no. 5032301.
17. Attached hereto as Exhibit 16 is a true and correct copy of Citizens to Keep Pasadena Strong production no. 5040601.
18. Attached hereto as Exhibit 17 is a true and correct copy of Citizens to Keep Pasadena Strong production no. 5041601.
19. Attached hereto as Exhibit 18 is a true and correct copy of Citizens to Keep Pasadena Strong production no. 5042005.
20. Attached hereto as Exhibit 19 is a true and correct copy of Citizens to Keep Pasadena Strong production no. 5042801.
21. Attached hereto as Exhibit 20 is a true and correct copy of Citizens to Keep Pasadena Strong production no. 5050402.
22. Attached hereto as Exhibit 21 is a true and correct copy of Citizens to Keep Pasadena Strong production no. 5050501.
23. Attached hereto as Exhibit 22 is a true and correct copy of excerpts of the deposition of Richard Scott taken on July 8, 2016.
24. Attached hereto as Exhibit 23 is a true and correct copy of Exhibit 5 of the deposition of Richard Scott, taken July 8, 2016.
25. Attached hereto as Exhibit 24 is a true and correct copy of Exhibit 9 of the deposition of Richard Scott, taken on July 8, 2016.
26. Attached hereto as Exhibit 25 is a true and correct copy of Exhibit 10 of the deposition of Richard Scott, taken on July 8, 2016.


27. Attached hereto as Exhibit 26 is a true and correct copy of Exhibit 15 of the deposition of Richard Scott, taken on July 8, 2016.
28. Attached hereto as Exhibit 27 is a true and correct copy of excerpts of the deposition of Cody Ray Wheeler taken on June 22, 2016.
29. Attached hereto as Exhibit 28 is a true and correct copy of the Citizens to Keep Pasadena Strong 2013 campaign finance report.
30. Attached hereto as Exhibit 29 is a true and correct copy of the Citizens to Keep Pasadena Strong 2015 campaign finance report.
31. Attached hereto as Exhibit 30 is a true and correct copy of excerpts of the deposition of Frank Borrego taken on October 7, 2015.
32. Attached hereto as Exhibit 31 is a true and correct copy of excerpts of the deposition of Patricia Gonzales taken on October 6, 2015.
33. Attached hereto as Exhibit 32 is a true and correct copy of Exhibit 63 of the deposition of Mayor Johnny Isbell, taken on May 27, 2016.
34. Attached hereto as Exhibit 33 is a true and correct copy of excerpts of the deposition of Larry Peacock taken on May 26, 2016.
35. Attached hereto as Exhibit 34 is a true and correct copy of excerpts of the deposition of Pat Van Houte taken on June 14, 2016.
36. Attached hereto as Exhibit 35 is a true and correct copy of excerpts of the deposition of Orlando Ybarra taken on July 13, 2016.
37. Attached hereto as Exhibit 36 is a true and correct copy of Exhibit 2 of the deposition of Bruce Leamon, taken on February 2, 2016.

38. Attached hereto as Exhibit 37 is a true and correct copy of excerpts of the deposition of Celestino Munoz Perez, Jr. taken on May 25, 2016.
39. Attached hereto as Exhibit 38 is a true and correct copy of Exhibit 38 of the deposition of Richard Scott, taken July 8, 2016.
40. Attached hereto as Exhibit 39 is a true and correct copy of Exhibit 49 of the deposition of Richard Scott, taken July 8, 2016.
41. Attached hereto as Exhibit 40 is a true and correct copy of Exhibit 50 of the deposition of Mayor Johnny Isbell, taken on May 27, 2016, titled, "City of Pasadena Example Plan 2-6 Single Member Districts."
42. Attached hereto as Exhibit 41 is a true and correct copy of a map titled "City of Pasadena - Composite Draft Adopted August 30, 2011," Bates number PASADENA000148.
43. Attached hereto as Exhibit 42 is a true and correct copy of Exhibit 11 of the deposition of Mayor Johnny Isbell, taken on May 27, 2016.
44. Attached hereto as Exhibit 43 is a true and correct copy of the May 11, 2013 Pasadena City Council Election Results.
45. Attached hereto as Exhibit 44 is a true and correct copy of Exhibit 23 of the deposition of Mayor Johnny Isbell, taken on May 27, 2016.
46. Attached hereto as Exhibit 45 is a true and correct copy of the November 2013 Pasadena Proposition I Election Results.
47. Attached hereto as Exhibit 46 is a true and correct copy of Exhibit 51 of the deposition of Mayor Johnny Isbell, taken on May 27, 2016.

48. Attached hereto as Exhibit 47 is a true and correct copy of the City Council District Data 2011 Adopted Plan, PASADENA000156.
49. Attached hereto as Exhibit 48 is a true and correct copy of the 2014 City Council Redistricting Data and Materials.
50. Attached hereto as Exhibit 49 is a true and correct copy of the Pasadena 2015 Election Precinct Returns provided in discovery by Defendant, City of Pasadena.
51. Attached hereto as Exhibit 50 is a true and correct copy of the November 2010 County Commissioner Precinct 2 General Election Canvass, obtained from the Harris County Election Division's website.
52. Attached hereto as Exhibit 51 is a true and correct copy of the 2012 Harris County General Election Sheriff Canvass, obtained from the Harris County Election Division's website.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 29, 2016 in San Antonio, Texas.

  
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Ernest I. Herrera